



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/594,014

09/25/2006

Petrus Jacobus Dekker

4662-335

3949

23117 7590 06/01/2010  
NIXON & VANDERHYE, PC  
901 NORTH GLEBE ROAD, 11TH FLOOR  
ARLINGTON, VA 22203

EXAMINER

PAK, YONG D

ART UNIT

PAPER NUMBER

1652

MAIL DATE

DELIVERY MODE

06/01/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**ADVISORY ACTION**

***Response to Arguments***

The amendment filed on May 25, 2010 under 37 CFR 1.116 in reply to the final rejection has been considered but is not deemed to place the application in condition for allowance and will not be entered because: the proposed amendment raises new issues that would require further consideration and/or search. The amendment has not been entered for the following reasons:

The amendment adds new limitations to the mutant of claim 26: ratio of NH/HR is decreased by at least 50% in the mutant as compared to said ratio in said parent and said mutant is optionally inducibly, deficient in at least one component involved in NHR, and/or has a decreased amount of at least one of said at least one component selected from filamentous fungal homologues of yeast KU80, KU70, RAD50, MRE11, XRS2, LIG4, SIR4, LIFL and NEIL. Therefore, the newly amended claim warrants further consideration on these newly incorporated limitations, necessitating a new search in the prior art and/or a new rejection.

In view of the non-entry of the above amendment filed on May 25, 2010, all previous rejections are maintained for reasons of record.

None of the claims are allowable.

Art Unit: 1652

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yong Pak whose telephone number is 571-272-0935. The examiner can normally be reached 6:30 A.M. to 5:00 P.M. Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Wang can be reached on 571-272-0811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-1600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

/Yong D Pak/  
Primary Examiner, Art Unit 1652